

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 3/15/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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QUANDELL HICKMAN,

Plaintiff,

-v -

THE CITY OF NEW YORK, DEPUTY  
SHIVRAJ, DEPUTY MORALES, DEPUTY  
CARTER, AND SECURITY C.O. MCNIEL,

Defendants.  
----- X

1:20-cv-7205-GHW

ORDER

GREGORY H. WOODS, District Judge:

On February 17, 2021, the Court reopened this case at Mr. Hickman's request. *See* Dkt. Nos. 21-22. The Court scheduled a teleconference for March 8, 2021 at 1:00 p.m. to discuss next steps. Dkt. No. 22. On March 8, 2021, Mr. Hickman did not appear on the conference line. The Court, defense counsel, and the court reporter waited for fifteen minutes, providing Mr. Hickman with ample time to appear. After that time had passed, the Court adjourned the conference and rescheduled the conference for March 15, 2021. Dkt. No. 23. On March 15, 2021, Mr. Hickman again did not appear at the scheduled time. The Court, defense counsel, and the court reporter waited for Mr. Hickman to appear, and the Court adjourned the conference.


The Court will hold a teleconference on **March 29, 2021 at 10:00 a.m.** to discuss how the parties should proceed with litigating this case. The parties should call into the Court's dedicated conference line at (888) 557-8511, and enter Access Code 747-0200, followed by the pound (#) key. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules.

The Court again reminds Mr. Hickman that he must comply with the Court's orders. The Court reopened this case at Mr. Hickman's request, and since that time, he has failed to comply with two of the Court's orders. The Clerk of Court has mailed the Court's orders to Mr. Hickman's address as listed on the docket, and the Court has not received any information that would indicate Mr. Hickman has not received those orders. If Mr. Hickman continues to fail to comply with the Court's orders, the Court expects to dismiss this case under Federal Rule of Civil Procedure 41(b). Rule 41(b) provides, in relevant part, that "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." Fed. R. Civ. P. 41(b). "Although the text of Fed. R. Civ. P. 41(b) expressly addresses only the case in which a defendant moves for dismissal of an action, it is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case *sua sponte* for failure to prosecute." *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

The Clerk of Court is directed to send a copy of this order to Plaintiff by certified mail.

SO ORDERED.

Dated: March 15, 2021  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge